

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**WALTER W. KUCZERIAWENKO,**

**Plaintiff,**

**v.**

**PATRIOT BUICK GMC, INC., *et al.*,**

**Defendants.**

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**CIVIL ACTION**

**NO. 21-410**

**ORDER**

**AND NOW**, this 14<sup>th</sup> day of July 2022, upon consideration of Defendants Patriot Buick GMC, Inc., Jason C. Owens, and John Landosca's Motion to Dismiss (ECF No. 14), Plaintiff's Response in Opposition (ECF No. 15), Defendants' Reply (ECF No. 20) and Plaintiff's Surreply (ECF No. 21), **IT IS HEREBY ORDERED AND DECREED** that Defendants' Motion is **GRANTED IN PART AND DENIED IN PART**.

Plaintiff's claims under the Pennsylvania Wage Payments and Collection Act for unused vacation time and additional/overtime wage compensation are **DISMISSED WITH PREJUDICE**. Defendants' Motion is otherwise **DENIED**.<sup>1</sup>

**BY THE COURT:**

**/s/ Petrese B. Tucker**

**Hon. Petrese B. Tucker, U.S.D.J.**

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<sup>1</sup> This Order accompanies the Court's Memorandum dated July 14, 2022.